IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.3665 OF 1989

Dena Bank. ..Plaintiffs.

V/s.

Supreme Textile Corporation & Ors. ..Defendants.

Mr.K.D.Shukla for Plaintiffs.

CORAM: A.M.KHANWILKAR,J

DATE : SEPTEMBER 10, 2007.

P.C. :

1. The matter has been listed today for filing affidavit of evidence and documents (undefended suit). Today Counsel for the Plaintiffs seeks adjournment. Sufficient time was given to the Plaintiffs to file affidavit of evidence and documents in terms of the Order dated 31st August, 2007. No reason is forthcoming as to what prevented the Plaintiffs to comply with that direction. In the circumstances, by way of indulgence, four weeks' further time is granted to the Plaintiffs on condition that the Plaintiffs shall pay costs quantified at Rs.2,000/- to the High Court Legal Services Committee for seeking this adjournment. Payment of costs is a condition precedent.

2. If costs is not paid within one week from today, Office to proceed on the basis that the Suit is dismissed for non-prosecution without further reference to the Court. However, if costs is paid in time, matter be listed on 15th October, 2007 under caption "for filing affidavit of evidence and documents(undefended).

(A.M.KHANWILKAR,J)